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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSHYMAR ESTRADA,

Defendant.

CASE NO. 1:22-CR-00149-JLT-SKO

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
ORDER

DATE: October 18, 2023
TIME: 1:00pm
COURT: Hon. Sheila K. Oberto

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on October 18, 2023.
2. By this stipulation, defendant now moves to continue the status conference until January 17, 2024, and to exclude time between October 18, 2023, and January 17, 2024, under 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4].
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case has been provided. The government is aware of its ongoing discovery obligations.
 - b) The government has a newly assigned attorney to this matter, who provided defendant with a plea agreement on May 31, 2023.

c) Counsel for defendant desires additional time to confer with his client about a possible resolution, to review discovery, conduct any additional investigation necessary as a result of the plea offer, and to otherwise prepare for trial.

d) Counsel for defendant believes that failure to grant the above-requested continuance would deny him/her the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

e) The government does not object to the continuance.

f) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

g) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of October 18, 2023 to January 17, 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: September 12, 2023

PHILLIP A. TALBERT
United States Attorney

/s/ STEPHANIE M. STOKMAN
STEPHANIE M. STOKMAN
Assistant United States Attorney

/s/ YAN SHRAYBERMAN

Dated: September 12, 2023

YAN SHRAYBERMAN
Counsel for Defendant
JOSHYMAR ESTRADA

ORDER

IT IS SO ORDERED.

DATED: 9/13/2023

Sheila K. Oberto

Hon. Sheila K. Oberto
United States Magistrate Judge